

### ***Caution: DRAFT FORM***

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If you have any comments on this draft form, you can submit them to us on our web site. Include the word DRAFT in your response. You may make comments anonymously, or you may include your name and e-mail address or phone number. We will be unable to respond to all comments due to the high volume we receive. However, we will carefully consider each suggestion. So that we can properly consider your comments, please send them to us within 30 days from the date the draft was posted.

**SCHEDULE D  
(Form 1041)**Department of the Treasury  
Internal Revenue Service**Capital Gains and Losses**▶ Attach to Form 1041 (or Form 5227). See the separate instructions for  
Form 1041 (or Form 5227).

OMB No. 1545-0092

**2000**

Name of estate or trust

Employer identification number

**Note:** Form 5227 filers need to complete **only** Parts I and II.**Part I Short-Term Capital Gains and Losses—Assets Held One Year or Less**

(a) Description of property (Example, 100 shares 7% preferred of "Z" Co.)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Sales price	(e) Cost or other basis (see page 26)	(f) Gain or (Loss) (col. (d) less col. (e))	
1						
2	Short-term capital gain or (loss) from Forms 4684, 6252, 6781, and 8824 . . .				2	
3	Net short-term gain or (loss) from partnerships, S corporations, and other estates or trusts . . . . .				3	
4	Short-term capital loss carryover. Enter the amount, if any, from line 9 of the 1999 Capital Loss Carryover Worksheet . . . . .				4 ( )	
5	<b>Net short-term gain or (loss).</b> Combine lines 1 through 4 in column (f). Enter here and on line 14 below . . . . . ▶				5	

**Part II Long-Term Capital Gains and Losses—Assets Held More Than One Year**

(a) Description of property (Example, 100 shares 7% preferred of "Z" Co.)	(b) Date acquired (mo., day, yr.)	(c) Date sold (mo., day, yr.)	(d) Sales price	(e) Cost or other basis (see page 26)	(f) GAIN or (LOSS) (col. (d) less col. (e))	(g) 28% RATE GAIN or (LOSS) *(see instr. below)
6						
7	Long-term capital gain or (loss) from Forms 2439, 4684, 6252, 6781, and 8824 . . .				7	
8	Net long-term gain or (loss) from partnerships, S corporations, and other estates or trusts .				8	
9	Capital gain distributions . . . . .				9	
10	Gain from Form 4797, Part I . . . . .				10	
11	Long-term capital loss carryover. Enter in both columns (f) and (g) the amount, if any, from line 14, of the 1999 Capital Loss Carryover Worksheet . . . . .				11 ( ) ( )	
12	Combine lines 6 through 11 in column (g) . . . . .				12	
13	<b>Net long-term gain or (loss).</b> Combine lines 6 through 11 in column (f). Enter here and on line 15 below . . . . . ▶				13	

**\*28% Rate Gain or (Loss)** includes all "collectibles gains and losses" (as defined on page 26 of the instructions) and up to 50% of the eligible gain on qualified small business stock (see page 25 of the instructions).**Part III Summary of Parts I and II**

	(1) Beneficiaries' (see page 26)	(2) Estate's or trust's	(3) Total
14 <b>Net short-term gain or (loss)</b> (from line 5 above) . . .	14		
15 <b>Net long-term gain or (loss):</b>			
a 28% rate gain or (loss) (from line 12 above) . . . . .	15a		
b Unrecaptured section 1250 gain (see worksheet on page 27). . . . .	15b		
c Total for year (from line 13 above) . . . . .	15c		
16 <b>Total net gain or (loss).</b> Combine lines 14 and 15c . . . ▶	16		

**Note:** If line 16, column (3), is a net gain, enter the gain on Form 1041, line 4. If lines 15c and 16, column (2), are net gains, go to Part V, and **do not** complete Part IV. If line 16, column (3), is a net loss, complete Part IV and the **Capital Loss Carryover Worksheet**, as necessary.

**Part IV Capital Loss Limitation**

**17** Enter here and enter as a (loss) on Form 1041, line 4, the **smaller** of:

**a** The loss on line 16, column (3) **or**

**b** \$3,000

**17** ( )

If the loss on line 16, column (3), is more than \$3,000, **or** if Form 1041, page 1, line 22, is a loss, complete the **Capital Loss Carryover Worksheet** on page 28 of the instructions to determine your capital loss carryover.

**Part V Tax Computation Using Maximum Capital Gains Rates** (Complete this part **only** if both lines 15c and 16 in column (2) are gains, and Form 1041, line 22 is more than zero.)

<b>18</b> Enter taxable income from Form 1041, line 22.	<b>18</b>		
<b>19</b> Enter the <b>smaller</b> of line 15c or 16 in column (2).	<b>19</b>		
<b>20</b> If you are filing Form 4952, enter the amount from Form 4952, line 4e	<b>20</b>		
<b>21</b> Subtract line 20 from line 19. If zero or less, enter -0-	<b>21</b>		
<b>22</b> Combine lines 14 and 15a, column (2). If zero or less, enter -0-	<b>22</b>		
<b>23</b> Enter the <b>smaller</b> of line 15a, column (2), or line 22, but not less than zero	<b>23</b>		
<b>24</b> Enter the amount from line 15b, column (2)	<b>24</b>		
<b>25</b> Add lines 23 and 24	<b>25</b>		
<b>26</b> Subtract line 25 from line 21. If zero or less, enter -0-	<b>26</b>		
<b>27</b> Subtract line 26 from line 18. If zero or less, enter -0-	<b>27</b>		
<b>28</b> Enter the <b>smaller</b> of line 18 or \$1,750	<b>28</b>		
<b>29</b> Enter the <b>smaller</b> of line 27 or line 28	<b>29</b>		
<b>30</b> Subtract line 21 from line 18. If zero or less, enter -0-	<b>30</b>		
<b>31</b> Enter the <b>larger</b> of line 29 or line 30	<b>31</b>		
<b>32</b> Tax on amount on line 31 from the 2000 Tax Rate Schedule	<b>32</b>		
<b>Note:</b> If line 28 is less than line 27, go to line 37.			
<b>33</b> Enter the amount from line 28	<b>33</b>		
<b>34</b> Enter the amount from line 27	<b>34</b>		
<b>35</b> Subtract line 34 from line 33. If zero or less, enter -0-	<b>35</b>		
<b>36</b> Multiply line 35 by 10% (.10)	<b>36</b>		
<b>Note:</b> If line 26 is more than zero <b>and</b> equal to line 35, go to line 51.			
<b>37</b> Enter the <b>smaller</b> of line 18 or line 26	<b>37</b>		
<b>38</b> Enter the amount from line 35	<b>38</b>		
<b>39</b> Subtract line 38 from line 37	<b>39</b>		
<b>40</b> Multiply line 39 by 20% (.20)	<b>40</b>		
<b>Note:</b> If line 24 is zero or blank, skip lines 41 through 46 and read the <b>Note</b> above line 47.			
<b>41</b> Enter the <b>smaller</b> of line 21 or line 24	<b>41</b>		
<b>42</b> Add lines 21 and 31	<b>42</b>		
<b>43</b> Enter the amount from line 18	<b>43</b>		
<b>44</b> Subtract line 43 from line 42. If zero or less, enter -0-	<b>44</b>		
<b>45</b> Subtract line 44 from line 41. If zero or less, enter -0-	<b>45</b>		
<b>46</b> Multiply line 45 by 25% (.25)	<b>46</b>		
<b>Note:</b> If line 23 is zero or blank, go to line 51.			
<b>47</b> Enter the amount from line 18	<b>47</b>		
<b>48</b> Add lines 31, 35, 39, and 45	<b>48</b>		
<b>49</b> Subtract line 48 from line 47	<b>49</b>		
<b>50</b> Multiply line 49 by 28% (.28)	<b>50</b>		
<b>51</b> Add lines 32, 36, 40, 46, and 50	<b>51</b>		
<b>52</b> Tax on the amount on line 18 from the 2000 Tax Rate Schedule	<b>52</b>		
<b>53</b> <b>Tax on all taxable income (including capital gains).</b> Enter the <b>smaller</b> of line 51 or line 52 here and on line 1a of Schedule G, Form 1041	<b>53</b>		

